

II. REMARKS

A. Introduction

Applicants submit this Response in a bona fide attempt to (i) advance the prosecution of this case, (ii) answer each and every ground of objection and rejection as set forth by the Examiner, (iii) place the claims in a condition for allowance, and (iv) place the case in better condition for consideration on appeal. Applicants respectfully request reexamination and reconsideration of the above referenced patent application in view of this Response.

As indicated above, Claims 9 and 11 have been amended, new Claims 14-18 introduced and Claim 10 canceled.

Applicants respectfully submit that the noted amendments merely make explicit that which was (and is) disclosed or implicit in the original disclosure. The amendments thus add nothing that would not be reasonably apparent to a person of ordinary skill in the art to which the invention pertains.

B. Response to Rejections

The Examiner has rejected Claim 9 under 35 U.S.C. § 102(b) as being anticipated by USPNs 2,486,158 to Haas, 4,708,078 to Legaignoux et al. and 5,816,537 to Pascoe et al. Applicants have amended Claim 9 to incorporate the limitations of dependent Claim 10. Accordingly, Applicants respectfully request that the Examiner withdraw § 102(b) rejection of Claim 9 in view of Haas, Legaignoux et al. and Pascoe et al.

Next, the Examiner rejected Claims 9 and 10 under 35 U.S.C. § 102(b) as being anticipated by USPN 5,244,169 to Brown et al. The Examiner contends that Brown et al. disclose a regulator that is covered by the valve mechanism claimed by Applicants.

Applicants have amended the claims to clarify the structural distinctions of the present invention over Brown et al. Applicants believe a comparison of the two technologies will help highlight these distinctions.

With respect to the present invention, the claims as amended recite an aerodynamic wing having features that render it suitable for use as a kite for kite surfing. As such, the wing is used under certain specific conditions, for example, it is controlled by a plurality of flying lines while it remains at a relatively constant altitude. Because the wing stays at a relatively constant

altitude, it does not experience problems associated with varying air pressure and its effects on the inflatable struts.

Therefore, there are two primary functions for the valves in the present invention. First, the valve must permit air to travel from the leading edge strut to the rib struts when the aerodynamic wing is on the ground, being prepared for flight. As discussed in the specification, this represents a significant convenience and allows the user to inflate the kite in a single, continuous operation. Prior art kites require the user to introduce air into each strut individually. Secondly, the valves of the present invention have a configuration that prevents air from traveling from the rib struts to the leading edge strut, especially after the aerodynamic wing has been prepared and during flight. In further embodiments, the valves also have a configuration that prevents air from traveling from the leading edge strut to the rib struts. As one having skill in the art will appreciate, these functions offer improved safety and reliability by isolating each strut. In turn, a failure of one strut, such as a puncture, will not affect the remaining struts. The ability to isolate each strut also facilitates troubleshooting by allowing the user to pinpoint a leaking strut.

Applicants have canceled Claim 10 and amended Claim 9 to emphasize this feature, specifically the ability to prevent air from traveling from the rib strut to the leading edge strut. The newly introduced claims, Claims 14-18, also share this limitation.

In contrast, the wing disclosed by Brown et al. is intended for use as a paraglider, and therefore experiences significantly different operating conditions. Specifically, as one having skill in the art will appreciate, paragliders are operated at widely varying altitudes during flight. Indeed, paragliders commonly change altitudes by thousands of feet. Naturally, elevation changes of this magnitude create significant problems regarding the varying air pressure outside relative to Brown et al.'s inflatable spar tubes. Accordingly, the system disclosed by Brown et al., functions primarily to allow air to travel between the various spars during flight, to equalize pressure.

For example, Brown et al. states "Tube 32 is at the uppermost arching medial extent of the paraglider, as shown, and it maintains the spacing between the forward and rearward tubes 21 and 22. It may also serve to maintain pressure in tubes 21 and 22." See col. 2, line 66 to col. 3, line 2. Further, Brown et al. discloses an optional system including "means to inflate the tube,

i.e. a fluid pressure vessel 36 carried by tube 32, and communicating with the interior of tube 32, via a duct 37 and a valve 38 in the duct." See col. 3, lines 19-22. Finally, Brown et al. also disclose that "[O]ptionally, a tube 32', replacing tube 32, may itself be used as a pressure vessel to maintain pressure in tubes 30 and 31 during long duration flight." See col. 3, lines 22-25. Thus, in all of these embodiments, the Brown et al. systems involve the flow of air, through the regulator, into the leading edge.

Accordingly, Applicants respectfully submit that Brown et al. do not disclose an aerodynamic wing wherein a valve prevents the flow air from the rib strut to the leading edge strut. For the above reasons, Applicants request that the Examiner withdraw the § 102(b) rejection of Claim 9 in view of Brown et al.

Next, the Examiner rejected Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Brown et al. The Examiner contends that it would have been obvious to replace the regulator disclosed by Brown et al. with the clamp claimed by Applicants.

Applicants respectfully submit that Brown et al. does not suggest a clamp or any other type of valve that would serve to prevent the flow of air from the rib strut to the leading edge strut. As discussed above, the whole purpose of the Brown et al. valve is to allow air to travel into the leading edge to maintain pressure. As such, Brown et al. actively teaches away from the system claimed by Applicants. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the § 103(a) rejection of Claim 11 over Brown et al.

With respect to newly added claims 14-18, Applicants respectfully submit that they share the claim limitations discussed above and accordingly define patentable subject matter for the noted reasons.

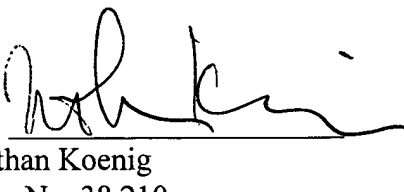
III. CONCLUSION

Applicants, having answered each and every ground of rejection as set forth by the Examiner, and having added no new matter, believe that this response clearly overcomes the references of record, and now submit that all claims in the above-referenced patent application are in condition for allowance and the same is respectfully solicited.

If the Examiner has any further questions or comments, Applicants invite the Examiner to contact their Attorneys of record at the telephone number below to expedite prosecution of the application.

Respectfully submitted,

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